

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**PAULETTE L. CARRUTHERS, :**

**Plaintiff, :**

**v. :**

**BAC HOME LOANS SERVICING, :  
LP, FKA COUNTRYWIDE HOME :  
LOANS SERVICING LP, :**

**Defendant. :**

**CIVIL ACTION**

**FILE NO. 1:10-CV-3123-WSD-LTW**

**BAC HOME LOANS SERVICING, LP'S  
WITHDRAWAL OF MOTION TO DISMISS AMENDED COMPLAINT**

Defendant BAC Home Loans Servicing, LP ("BAC" or "Defendant") (improperly-named as "BAC Home Loans Servicing, LP, FKA Countrywide Home Loans Servicing LP") withdraws its Motion to Dismiss Amended Complaint electronically filed as Document No. 9, which was inadvertently filed without a memorandum of law in support.

Respectfully submitted this 10<sup>th</sup> day of November, 2010.

**PARKER, HUDSON, RAINER & DOBBS LLP**

/s/ Darren E. Gaynor

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*Counsel for BAC Home Loans Servicing, LP*

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a copy of the within and foregoing **BAC HOME LOANS SERVICING, LP'S WITHDRAWAL OF MOTION TO DISMISS AMENDED COMPLAINT** upon all parties to this matter via first class U.S. mail addressed to Plaintiff as follows:

Paulette L. Carruthers  
195 14th Street, 701  
Atlanta, Georgia 30309

This 10<sup>th</sup> day of November, 2010.

/s/ Darren E. Gaynor  
Darren E. Gaynor